

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA

Plaintiff,

-vs-

Case No. CR-3-04-12 (9)

ABDEL FATTAH ABDEL SALAM,

Defendant.

**ORDER ADOPTING THE REPORT AND RECOMMENDATIONS OF THE UNITED
STATES CHIEF MAGISTRATE JUDGE, AND ACCEPTING THE PLEA OF GUILTY**

This matter came on for a hearing at 9:30 a.m. on April 26, 2005, for a change of plea. Upon unanimous consent of the parties the matter was heard before Chief United States Magistrate Judge Michael R. Merz. Having conducted a full plea colloquy with the defendant, with the assistance of an Arabic interpreter, the Magistrate Judge concluded that the Defendants plea of guilty was knowing, intelligent, and voluntary, and that there is an adequate factual basis for a finding of guilt.

The defendant filed a waiver of objections to the report and recommendation of the Magistrate Judge (Doc. #290) on April 26, 2005, as did governments counsel (Doc. #293) on April 27, 2005.

Therefore, based upon the aforesaid, and this Courts de novo review of the comprehensive findings by the Chief United States Magistrate Judge this Court adopts the Report and Recommendations of the United States Magistrate Judge (Doc. #286) in its entirety, finding that the plea was knowing, intelligent and voluntary. The Defendant is FOUND guilty of the offense for which he pled. This matter is ORDERED referred to the Unites States Probation Department for a presentence investigation and report. Sentencing is scheduled for August 26, 2005, at 2:00 p.m.

DONE and **ORDERED** in Dayton, Ohio, this 3rd day of May, 2005.

s/Thomas M. Rose

THOMAS M. ROSE, JUDGE
UNITED STATES DISTRICT COURT